

FILED 06 JUL 31 18:05 2006 SPC-DRP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

11 MYA DUNN,)
12 Plaintiff,)
13 v.) No. CV-05-116-HU
14 CSK AUTO, INC., an)
15 Arizona corporation,)
16 dba SCHUCK'S AUTO SUPPLY,) VERDICT
Defendant.)
_____)

18 We, the duly-impaneled jury in the above-entitled case, do
19 find as follows:

20 1. In regard to the Title VII claim, has plaintiff proven by
21 a preponderance of the evidence that her pregnancy was a motivating
22 factor in defendant's decision to terminate her employment?

23 Yes X No _____

25 If your answer to Question No. 1 is no, proceed to Question
26 No. 3. If your answer to Question No 1 is yes, proceed to Question
27 No. 2.

1 2. In regard to the Title VII claim, has defendant proven by
2 a preponderance of the evidence that its decision to terminate
3 plaintiff was because defendant determined that plaintiff falsely
4 edited her time cards, and that it would have made the same
5 decision to terminate plaintiff even if plaintiff's pregnancy had
6 played no role in defendant's decision to terminate her?

7 Yes _____ No X

8
9 Proceed to Question No. 3.

10
11 3. In regard to the Oregon wrongful discharge claim, has
12 plaintiff proven by a preponderance of the evidence that defendant
13 wrongfully discharged her because of plaintiff's exercise or
14 attempted exercise of her rights under the Oregon Family Leave Act?

15 Yes _____ No X

16
17 If you answered no to Question No. 1 and no to Question No. 3,
18 answer no further questions. Your presiding juror should sign and
19 date this verdict form and notify the bailiff.

20 If you answered yes to Question Nos. 1 and 2 and no to
21 Question No. 3, answer no further questions. Your presiding juror
22 should sign and date this verdict form and notify the bailiff.

23 If you answered yes to Question No. 1 and no to Question No.
24 2, or if you answered yes to Question No. 3, proceed to Question
25 No. 4.

4. What are plaintiff's damages?

Non-economic: \$ 225,000

Economic: \$ (wrongful discharge claim only; answer only if you answered yes to Question No. 3).

If you answered yes to Question No. 1 and no to Question No. 2, proceed to Question No. 5. If you answered yes to Question No. 3, proceed to Question No. 6.

5. Has plaintiff proven by a preponderance of the evidence she is entitled to punitive damages on her Title VII claim?

Yes X No _____

Whether you answered Question No. 5 yes or no, if you answered yes to Question No. 3, proceed to Question No. 6. If you answered no to Question No. 3 and yes to Question No. 5, proceed to Question No. 7. If you answered no to Question No. 3 and no to Question No. 5, answer no further questions. Your presiding juror should sign and date this verdict form and notify the bailiff.

6. Has plaintiff proven by clear and convincing evidence she is entitled to punitive damages on her wrongful discharge claim?

Yes _____ No _____

If you answered yes to Question Nos. 5 or 6, proceed to Question No. 7. If you answered no to Question Nos. 5 and 6,

1 answer no further questions. Your presiding juror should sign and
2 date this verdict form and notify the bailiff.

3
4 7. What amount of punitive damages, if any, do you award
5 plaintiff?

6 \$ 250,000

7
8 Your presiding juror should sign and date this verdict form
9 and notify the bailiff.

10
11 DATED this 31st day of July, 2006.

12
13 Lee B. Tunca
14 PRESIDING JUROR